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# Issue Paper CHINA POLITICAL DISSENT--AN UPDATE June 1995

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## **1. INTRODUCTION**

This paper is intended to serve as an update on the human rights situation for political dissidents in the People's Republic of China (PRC). It follows three earlier DIRB reports that comment on dissidents: *Question and Answer Series: China: Economic Growth and Human Rights* (Dec. 1993), *China: A Country Profile* (Dec. 1991), and *The Hunt for Dissidents in China* (Oct. 1990). [Although religion and political dissent can be closely associated in the People's Republic of China, this paper will not discuss aspects of religious repression in the country. The DIRB is currently compiling an information package on religion and human rights in China.]

Political dissent has historically been curtailed in the PRC, a one-party, authoritarian state (*Country Reports 1994 1995*, 555) that has in the past experienced considerable political turmoil in such events as the 1958 Anti-Rightist Campaign, the 1966-76 Cultural Revolution, the 1976 Tiananmen incident, the 1978-81 Democracy Wall movement, and the 1989 pro-democracy movement which was centered on Tiananmen Square in Beijing. [For a review of these and other events, please see the DIRB's *China: A Country Profile* (Dec. 1991). For the purposes of this paper, references to "Tianamen" refer to the 1989 pro-democracy movement.] This paper will review the situation for political dissidents in China, in the context of China's international relations, the social and economic reforms currently being experienced in the country, and the possible uncertainty over the political succession following the era of Deng Xiaoping. Where there are differences in the treatment of high profile and lesser known dissidents, these are pointed out; however, for much of the information provided, sources do not make such distinctions.

## **2. OVERVIEW: HUMAN RIGHTS REPORTING AND THE POLITICAL CLIMATE**

In recent years the PRC has begun engaging the West in a dialogue over human rights (*Beijing Review* 10-16 May 1993; *Guangming Ribao* 11 Sept. 1994; HRWAsia Nov. 1994, 17; *Country Reports 1994* 1995, 556). Officially-sanctioned human rights research centres have been set up within the country, but their role has been largely limited to defending the government's human rights record (*Country Reports 1995* 1995, 566; HRWAsia Nov. 1994, 16). For example, the Chinese government's reply to a request by the U.S. Department of State for information on some 341 political or religious dissidents was described by *Country Reports 1994* as "limited" (*Country Reports 1994* 1995, 556), and by Human Rights WatchAsia as "so thin on detail and so inaccurate that it is virtually useless as a step toward accounting for prisoners" (HRWAsia 4 May 1994, 4). In practice, critical information gathering and reporting on human rights abuses within China is not tolerated by the government (*Country Reports 1994* 1995, 566; HRIC 17 Feb. 1995; HRWAsia Nov. 1994, 15-16). In October 1994, for example, two dissidents, Yang Zhou and Bao Ge, were sentenced administratively, [For more information on administrative detention and sentencing, shelter for investigation, and other aspects of Chinese legal practice, please see Lawyers Committee for Human Rights, May 1993, *Criminal Justice with Chinese Characteristics: China's Criminal Process and Violations of Human Rights* (New York: LCHR, pp. 66-76), and Amnesty International, September 1991, *China: Punishment Without Crime: Administrative Detention* (New York: AI).] without trial, to three years of re-education through labour after attempting to establish and register human rights organizations (*Libération* 12 Oct. 1994; *Country Reports 1994* 1995, 560; *Eastern Express* 24 Oct. 1994; AFP 12 Oct. 1994; VOA 11 Oct. 1994; see also HRWAsia and HRIC 29 July 1994, 11). As well, Tiananmen student leader Wang Dan has been regularly harassed by Public Security Bureau (PSB) officials for speaking out on human rights (*Country Reports 1994* 1995, 566; HRWAsia 8 Dec. 1994; *SCMP* 28 Aug. 1994; *BBC Summary* 9 Sept. 1994; VOA 7 Dec. 1994).

Nevertheless, a considerable amount of information about human rights in China has emerged in recent years, with the wave of Chinese dissidents exiled to the West (*FEER* 15 Sept. 1994b, 23; Thurston Jan. 1993, 134), and the communications improvements in China, which allow for easier transmission of information inside and outside the country ( *ibid.*; *Business Week* 6 June 1994; *Time* 10 May 1993, 38). Some recent press reports, for example, indicate that foreign reporters can reach a number of dissidents and their relatives in China by telephone ( Reuters 28 Feb. 1995; *SCMP* 18 Oct. 1994b; AFP 4 Oct. 1994), despite Public Security Bureau (PSB) electronic surveillance ( HRWAsia 8 Dec. 1994). However, there have also been reports of dissidents and their families having their phone lines cut in order to prevent them from talking to foreign reporters (*SCMP* 26 Oct. 1994; HRWAsia and HRIC 29 July 1994, 11, 13; AP 23 Feb. 1995).

With the improved communications, and often working in cooperation with Chinese dissidents, both within China and abroad, Western human rights monitoring groups have been able to produce some very detailed reports in recent years. Amnesty International's June 1994 report *China: Human Rights Violations Five Years after Tiananmen*, for example, contains extracts from an appeal by political prisoners at Hanyan Prison, in Hubei province, detailing numerous grievances ( AI June 1994 23-28). As well, the 632-page February 1994 report by Asia Watch, *Detained in China and Tibet*, contains information on "a total of some 1,700 persons known or believed to be presently imprisoned in connection with their political, ethnic or religious views" ( Asia Watch Feb. 1994 xi). This report was followed by a collaboration between Human Rights WatchAsia (formerly Asia Watch) and the New York-based group Human Rights in China (HRIC), which is chaired by former political prisoner Liu Qin. The report, *The Price of Obscurity in China: Revelations About Prisoners Arrested After June 4, 1989*, reveals a new list of some 500 political prisoners in Beijing, only 29 of whom were previously known to human rights groups ( HRWAsia and HRIC 19 May 1994, 2). According to the authors:

The wealth of new prisoner information contained in the report, coming as it does from

a region of China more intensively scrutinized by foreign observers than any other, serves again to demonstrate that known cases of political and religious imprisonment in China represent only the tip of the iceberg. In view of the nationwide scope of the 1989 demonstrations, we can safely assume that thousands of prisoners whose names we do not know still languish in prison for their role in these protests ( *ibid.*).

Estimates of the number of political prisoners in China vary considerably. According to *Country Reports 1994*,

In January [1995] an official from the Chinese Ministry of Justice said there were

2,678 people serving sentences for counterrevolutionary crimes at the end of 1994. Chinese officials told an American human rights monitor in June that as of the end of March there were 2,935 people serving sentences for counterrevolutionary crimes, down from 3,172 in December 1993. These figures include people convicted of espionage or other internationally recognized criminal offenses but do not include political prisoners detained but not charged; political or religious activists held in reeducation through labor camps; and persons detained or convicted for criminal offenses due solely to their nonviolent political or religious activities (*Country Reports 1994 1995*, 560).

Amnesty International considers Chinese government estimates of the number of prisoners of conscience to be significantly understated ( *AI 1994*, 98; *ibid.* June 1994, 3). Xiao Qiang, Executive Director of Human Rights in China, recently told the United Nations Commission on Human Rights that there are an estimated 10,000 prisoners of conscience in Chinese labour camps ( *International League for Human Rights 6 Mar. 1995*). Furthermore, Xiao Qiang concludes a recent article on dissent in China by asserting that the cases which have become known in the West

only came to the attention of the international community because some dissidents and their families were prepared to face the risks of revealing them. Dissidents are only the most visible victims of abuses and their concerns about the lack of institutional and legal safeguards for human rights reflect problems which can affect any Chinese citizen, in any place, at any time, for any reason, or for no reason at all (*Crosslines Global Report 12-13 Mar. 1995*, 24).

Economic reforms, which have accelerated since Deng Xiaoping's famous southern tour in 1992 ( *Schell 1994*, pp. 341 ff; see also *DIRB Dec. 1993*), have improved the lives of many Chinese. Orville Schell, whose 1994 book *Mandate of Heaven: A New Generation of Entrepreneurs, Dissidents, Bohemians, and Technocrats Lays Claim to China's Future* details the changes economic reforms have brought to Chinese social and political life, states that by 1992,

While China was still far from a model of participatory democracy, in certain notable respects society had become more relaxed and open than at any time since 'liberation' in 1949. A combination of freedom in the marketplace and response to foreign pressure made it possible for Chinese to buy what they wanted, enjoy private lives, speak more openly, and even to travel abroad more freely than before ( *Schell 1994*, 412; see also *Country Reports 1994*, 1995 556).

Schell and Australian sinologist Geremie Barmé point to many indications that Chinese citizens unhappy with their government are able to express their dissatisfaction in subtle, indirect ways, such as through "culture T-shirts" bearing cynical and enigmatic messages, [Culture t-shirts were reportedly

banned in 1991, although Schell uses the example to show that while overt expressions of political dissatisfaction were silenced, less obvious outlets were found "through various forms of underground culture and the marketplace" (1994, 275).] the satirical singing of revolutionary songs, the twisting of political slogans, the telling of jokes about political leaders ( Schell 1994, 272-275), and the rise of an urban counter-culture dedicated to individualism and making money, activities which in previous times were considered politically suspect ( *ibid.*; *Current History* Sept. 1994b, 270-273). Still, according to Schell,

While there was no doubt by 1994 that life in Chinese society was in many ways becoming increasingly relaxed, there were few signs that the Party was any more prepared to tolerate real challenges to its political hegemony. Each time manifestations of even moderate opposition arose, the Party moved to suppress [them] with a familiar thoroughness (1994, 412).

Similarly, Barmé makes a distinction between members of the "cultural underground--nonofficial musicians, artists, filmmakers, writers, and thinkers...[who] are not considered a threat to the status quo" and thus are "grudgingly tolerated," and "labor activists and individuals of conscience," who are considered a threat and are not tolerated (*Current History* Sept. 1994b, 270).

Sinologist Jan Walls argues that China can no longer be viewed as a monolith under party control (see also LCHR July 1994, 50), but it still features rule by the party and by personalities, some of whom will use punishment of dissidents or corrupt officials to further their careers ( Walls 14 Mar. 1995). Thus an individual's susceptibility to harassment or worse from authorities depends on the situation within that person's work unit or *danwei*, and whether the particular individual is protected by peers and supervisors ( *ibid.*; Brook 30 Mar. 1995). Walls argues that many individuals were thus protected from punishment during the post-Tiananmen crackdown (see also IRBDC 5 Dec. 1990), and states that the same situation applies today, especially for small-scale dissenters, such as intellectuals at universities or entrepreneurs throughout the country ( Walls 14 Mar. 1995). Many of these individuals are on the cutting edge of the reform movement, and the range of ideas they are permitted to voice has increased in recent years, according to Walls. The boundaries of political expression are not always clear, however, with the debate often carried out in the form of "codes" which, for protected individuals, can cover some political activities that might be considered taboo under a different name. Thus one cannot advocate "bourgeois democracy," for example, but "grassroots participation" is acceptable even for hardline communists ( *ibid.*). However, there are still some definite limits: for example, any challenge to the rule of the Communist Party, such as advocating "multiparty democracy," is not tolerated ( *ibid.*).

Another factor which could influence what might or might not constitute permissible behaviour in a given situation is the cyclical nature of China's changing political climate. Dissident writer Wang Ruowang, quoted by Schell, explains:

Cycles are not simply the product of Deng's reforms, but are the unavoidable consequence of the inner logic of the way things are set up in China's dictatorial political system... First the Party feels a need for opening up to invigorate the economy, then there is protest, then crackdown, then arrest and imprisonment, then a conservative interlude, and then, because the same need to invigorate the economy is recurrent, things start to open up again, and the process begins all over. We writers have started to call these patterns "cycles of weirdness." They take two, three, or four years, but the cycle always reappears, and they will continue to reappear until the Party collapses (qtd. in Schell 1994, 429).

### 3. POLITICAL DISSIDENTS AND CHINA'S INTERNATIONAL IMAGE

International considerations can play an important role in the PRC government's treatment of dissidents who have become well-known in the West; several cases are discussed in the following section. Most of these cases are well-documented, as opposed to lower-profile dissidents about whom little is known. Please refer to section 2 for comments from sources on the possible relationship between known and unknown cases of political dissent in the PRC.

#### 3.1 Internationally Prominent Dissidents

There are several examples in recent years in which the Chinese government apparently timed the release or detention of well-known dissidents to coincide with events of international significance to the country. For example, when China's most famous dissident, Nobel Peace-prize nominee Wei Jingsheng, was released in September 1993, it was interpreted by Western sources as an attempt to gain International Olympic Committee (IOC) votes for Beijing's bid to host the 2000 Olympic games (*Ottawa Citizen* 20 Sept. 1994; Reuters 17 Sept. 1993a; UPI 20 Sept. 1993). Wei had been imprisoned for over 14 years for his involvement in the Democracy Wall movement (*Asia Watch* Feb. 1994, 507-509; *Ottawa Citizen* 20 Sept. 1994). Similarly, other dissidents associated with the 1989 pro-democracy movement were released in February 1993, also apparently to improve Beijing's chances of success (*FEER* 4 Mar. 1993). In addition, a large trial of political dissidents, the so-called "Beijing Fifteen," was postponed in September 1993, reportedly because of the Olympics bid (*HRWAsia* 16 Dec. 1994; *HRWAsia* and *HRIC* 29 July 1994, 2), while dissident Qin Yongmin was arrested in November 1993 in part for his public opposition to the bid (*The New York Times* 29 Aug. 1994; *Libération* 28 Aug. 1994; *Eastern Express* 30 Sept. 1994; *HRIC* 17 Feb. 1995).

The debate in the United States over granting Most Favored Nation (MFN) trading status to China has also affected the Chinese government's actions toward dissidents (*New Perspectives Quarterly* Spring 1994; *New York Times* 29 Aug. 1994), sometimes in contradictory ways. In the run-up to the June 1994 decision by US President Clinton to finally de-link MFN status and human rights, for example, Wei Jingsheng was again detained, and has been held since, reportedly without charge and without family contact (*Ottawa Citizen* 20 Sept. 1994; *AI* 6 Apr. 1994; *Country Reports 1994 1995*, 558; *Ming Pao* 4 Oct. 1994; *AFP* 4 Oct. 1994; *UPI* 12 Oct. 1994). Also, there was a wave of arrests and detentions of dissidents in Shanghai and Beijing in the spring of 1994, apparently in a show of government strength before Clinton's decision was made (*New Perspectives Quarterly* Spring 1994; *AI* 15 Mar. 1994; *ibid.* 8 Mar. 1994; *SCMP* 28 Aug. 1994; *New York Times* 29 Aug. 1994). However, two high-profile dissidents from the 1989 pro-democracy movement, Wang Juntao and Chen Ziming, were released--Wang to go to the United States for medical treatment, and Chen to accept house arrest in Beijing (*Eastern Express* 1 Nov. 1994; *New York Times* 29 Aug. 1994, A2; *FEER* 8 Sept. 1994; *SCMP* 4 Oct. 1994; *Country Reports 1994 1995*, 557; Reuters 11 Nov. 1994; *HRWAsia* and *HRIC* Jan. 1995, 2; *AAASHRAN* 26 Oct. 1994).

There are several reports of certain dissidents being picked up, harassed, or placed under increased surveillance during an event of international significance in the country, or a visit from a foreign official. Tiananmen student leader Wang Dan, for example, who was released from prison in February 1993 after serving three and a half years of a four year sentence (*AI* 1994, 99; *HRWAsia* 8 Dec. 1994; *FEER* 4 Mar. 1993, 14), has often been detained or ordered out of Beijing during internationally prominent events such as the September 1994 Far East and South Pacific Games for the Disabled (*BBC Summary* 9 Sept. 1994) or visits by foreign officials (*SCMP* 28 Aug. 1994; *FEER* 8 Sept. 1994; *AI* 4 Mar. 1994). In December 1994 Wang reported receiving death threats from the PSB after attempting to sue for harassment (*HRWAsia* 8 Dec. 1994; *VOA* 7 Dec. 1994). Bao Ge, an activist in the 1989

pro-democracy movement who went on a hunger strike in June 1993 to demand the release of another dissident ( Asia Watch Feb. 1994, 50), was himself detained five times briefly in the next year during high-level visits from US, Japanese and French representatives ( HRWAsia and HRIC 29 July 1994, 11). Bao is currently serving a three-year sentence in re-education through labour (SCMP 26 Oct. 1994). Fang Zheng, a disabled athlete, was barred from competing in the Disabled Games, reportedly because it was feared that he might tell foreign reporters how he became disabled: his legs were crushed by a tank in Beijing during the June 1989 crackdown on the pro-democracy movement ( VOA 3 Sept. 1994; SCMP 17 Sept. 1994). Other examples of individuals being silenced during visits or events of international significance in the last few years include Yang Zhou and six other Shanghai dissidents ( AI 15 Mar. 1994; *ibid.* 8 Mar. 1994; *Libération* 12 Oct. 1994), Gou Qinghui, wife of imprisoned dissident Xiao Biguang (*Eastern Express* 10 Oct. 1994), labour activist Wang Miaogen ( HRW Dec. 1993, 152), and Shanghai dissident Fu Shenqi ( *ibid.*; see also AI 1994, 98).

Being known internationally, however, can improve treatment for some dissidents, with international pressure sometimes resulting in shorter sentences and/or early release ( HRWAsia and HRIC 19 May 1994, 4; International League for Human Rights 6 Mar. 1995; *Libération* 28 Aug. 1994). According to Human Rights WatchAsia and Human Rights in China, however, in the absence of international pressure, "the treatment of prisoners can be brutal" ( HRWAsia and HRIC 19 May 1994, 4).

### **3.2 Forced Exile**

One tactic increasingly used by the Chinese government in recent years to neutralize dissidents is forced exile: permitting individuals to go abroad, but later refusing re-entry or to renew passports ( HRWAsia and HRIC Jan. 1995, 1-2). The case of labour activist Han Dongfang provides one example. Founder and leader of the banned Beijing Workers Autonomous Federation, Han spent two years in prison after the June 1989 crackdown. He was then released and allowed to go to the United States, where he received a year of treatment for the tuberculosis he had contracted while in prison. Since then, however, he has been repeatedly refused re-entry to China, and his passport has been cancelled ( Asia Watch Feb. 1994, 55-57; AI 1994, 100; LCHR July 1994, 53-54; *Country Reports 1994 1995*, 565; *Ottawa Citizen* 20 Sept. 1994). Similarly, in November 1994, Bei Dao, a poet and director of the New York-based Human Rights in China, was questioned at Beijing airport about his human rights activities in the United States, and was eventually refused re-entry into China (*Country Reports 1994 1995*, 565; Reuters 28 Nov. 1994; VOA 11 Dec. 1994; HRWAsia and HRIC Jan. 1995, 5). Other activists reported to have been denied re-entry include Liu Qing, Gong Xiaoxia, Lu Jinghua, Richard Tsoi Yiu-Cheong, and Yao Yongzhan ( *ibid.*, 5; Asia Watch Feb. 1994, 57).

Several prominent dissidents have reportedly been pressured to leave China in recent years. Journalist Zhang Weiguo, for example, was incarcerated for 20 months following the post-Tiananmen crackdown, but experienced continued harassment after his release, including periods of re-detention and close questioning about his contacts, confiscation of manuscripts, and expulsion from his work unit. Finally, he left the country in January 1993 to take up a fellowship at the University of California, Berkeley ( Asia Watch Feb. 1994, 488-489; HRWAsia and HRIC Jan. 1995, 2; LCHR July 1994, 51). Wei Jingsheng has reportedly been told he can leave the country whenever he likes ( HRWAsia and HRIC Jan. 1995, 2). In April and May 1994 Chen Ziming and Wang Juntao, who were considered by the government as main leaders in the 1989 pro-democracy movement, were reportedly offered a deal: early release from their 13-year sentences if they chose to leave their homeland. As reported in section 3.1, Chen has opted instead to stay in Beijing under house arrest, while Wang went to the United States for medical care ( *ibid.*). As well, labour activist Liu Nianchun and his wife Chu Hailan were also both reportedly pressured to leave the country in the fall of 1994 (*Ottawa Citizen* 20 Sept. 1994).

According to the U.S. Department of State, "Official [Chinese] media have said that before returning home, Chinese citizens who have joined foreign organizations hostile to China should quit them and refrain from activities which violate Chinese law" (*Country Reports 1994 1995*, 565). However, a background report from the U.S. Department of State, Office of Asylum Affairs from 26 May 1994 reports, "we do not know of any returning students who have been detained by the Chinese authorities simply because of pro-democracy activities [in the United States]" ( U.S. Dept. of State 26 May 1994).

In another light, a January 1995 report by Human Rights WatchAsia and Human Rights in China presents a secret PSB document issued in May 1994 which includes the names and personal information of 49 people banned from re-entering China for political reasons. According to the report,

The full document provides details of each person's name and date of birth; passport type (if any), together with serial number and date of expirations and whether or not the passports have been cancelled or confiscated; whether or not the person has been placed on a police "wanted" list, and if so, the document's serial number; the date on which the individual was secretly banned from re-entering China, together with the serial number of the relevant PRC Border Control Notice; whether or not a photo of the banned person may be found on police files; and the specific action to be taken by border authorities if the person is discovered trying to enter China ( HRWAsia and HRIC Jan. 1995, 3).

The PSB document divides those on the list into three categories. Category 1 are on Most Wanted lists, and generally fled China without passports after the June 1989 crackdown. If caught re-entering China, they "are to be immediately detained, investigated and dealt with by law," instructions Human Rights WatchAsia and Human Rights in China interpret to mean that "such persons are to be arrested and put on trial" ( *ibid.*, 3). An example from category 1 is 46-year-old Su Xiaokong, writer of "River Elegy," a controversial television series from the 1980s ( Sullivan 1992, 19, 21; Kim 1992, 401, 410), who fled China in 1989 for the United States, where he still actively works for human rights improvements in China ( HRWAsia and HRIC Jan. 1995, 18).

Category 2 on the secret PSB lists comprises

mainly those who left China legally but later became active in pro-democracy groups overseas, together with several former political prisoners who were subsequently granted passports and allowed to leave: "In accordance with relevant instructions from the Party Center: if subject attempts to enter China, to be denied entry and returned [to country of departure] immediately" ( *ibid.* 4).

An example from this category is Wang Bingzhang, who entered Canada as a medical student in 1981 and founded the Chinese Alliance for Democracy three years later. Wang now advises the Chinese Freedom and Democracy Party in New York ( *ibid.* 19-20). Also in category 2 is former Beijing labour activist Zhao Pinlu, who escaped from China in 1989, now works in construction in New York, and chairs the International Chinese Workers Union ( *ibid.* 21).

Category 3 contains cases similar to category 2, but border security officials are to consult higher officials on how to handle them ( *ibid.*, 4). Political considerations can be important in this category, which includes several well-known figures: astrophysicist Fang Lizhi, who is sometimes described as "China's Sakharov" and is considered by the Chinese government to have been a prominent leader of the 1989 pro-democracy movement ( HRWAsia and HRIC Jan. 1995, 21; *New Perspectives Quarterly* Spring 1994; VOA 18 Jan. 1995); Harry Hongda Wu, whose revelations about prison conditions and the use of prison labour to produce export goods have embarrassed the Chinese regime ( HRWAsia and

HRIC Jan. 1995, 21; see also DIRB Dec. 1993, 28-32; *Australian Journal of Chinese Affairs* Jan. 1993, 172; Wu 1992); pro-democracy activist Shen Tong, whose much-publicized 1992 efforts to return to China and establish human rights groups led to his quick expulsion ( HRWAsia and HRIC Jan. 1995, 22; *FEER* 15 Sept. 1994a; see also DIRB Dec. 1993, 25); and veteran pro-democracy writer Wang Ruowang, who had been kept in incommunicado detention for 16 months after June 1989 and was finally allowed to leave the country for the United States in August 1992 ( HRWAsia and HRIC Jan. 1995, 22; *Asia Watch* Feb. 1994, 463-465). Category 3 also includes less well-known figures who are active in human rights and pro-democracy organizations abroad ( HRWAsia and HRIC Jan. 1995, 21-22). In a commentary, Human Rights WatchAsia and Human Rights in China state:

the Chinese government seems to be finding it increasingly expedient to export its political dissident problem. Perhaps most explosive of all, however, the [secret PSB] list ... shows that the 'most wanted' notices issued by Chinese security authorities in respect of the top student, intellectual and worker leaders of the 1989 pro-democracy movement still remain in force, more than five years after their initial promulgation. Chinese government policy in practice thus runs counter to the spirit of its repeated exhortations to all citizens living overseas, particularly students, to return to China, stating that those who had participated in demonstrations and other activities would not be prosecuted ( *ibid.*, 5).

According to Geremie Barmé, however, many "prodigal cultural dissidents," individuals not considered a threat to the regime, have been able to return from exile:

The returnees and visitors included the New York-based artistpoet Yan Li, the peripatetic poets Yang Lian (Amherst) and Huang Beiling (Boston), and artists such as Xu Bing (New York), Hunag Rui (Tokyo), and Ai Weiwei (New York). A number of them jetted back on short "shopping tours," gathering information for their future writing, or to check out the possibilities of establishing migratory careers: keeping a base overseas while maintaining a  *pied-à-terre* in Beijing or Shanghai (*Current History* Sept. 1994b, 273).

## 4. TACTICS OF DISSENT

In recent years, some Chinese dissidents have been increasingly open in their attempts to voice their political opinions using existing institutions and legal mechanisms. Many of these dissidents have a long history of political activism, and the networks they have created are increasingly giving voice to common complaints concerning the reform process, including corruption, regional inequalities, and the exploitation of workers ( HRWAsia 4 May 1994, 4; HRWAsia and HRIC 29 July 1994, 5).

### 4.1 Organizations and Charters

Organizations established, or whose establishment was planned, by political and labour activists in China in recent years include such groups as the League for Protection of the Rights of the Working People, the Shanghai-based Human Rights Association of China, the Social Democratic Party of China, the Free Labour Union of China, the Liberal Democratic Party of China, and the China Progressive Alliance ( HRWAsia 4 May 1994, 4; *ibid.* 16 Dec. 1994; AFP 17 Oct. 1994; *SCMP* 18 Oct. 1994b; HRWAsia and HRIC 29 July 1994, 2, 4, 5, 8, 9; UPI 12 July 1994; AI 15 Mar. 1994; *Country Reports* 1994 1995, 563; HRIC 17 Feb. 1995).

Liu Nianchun, a veteran dissident from the Democracy Wall movement, was held in incommunicado detention for five months in 1994 reportedly for his connection with the League for Protection of the Rights of the Working People. In October 1994 Liu was released because authorities felt they could not

press charges, although he apparently remained under close surveillance (*SCMP* 18 Oct. 1994b; *AFP* 17 Oct. 1994; *Country Reports 1994 1995*, 563; *Ottawa Citizen* 20 Sept. 1994; *HRIC* 17 Feb. 1995). The League itself was formed in mid-March 1994, and described by Human Rights WatchAsia as the "boldest initiative to date" of the "Beijing-based dissidents network, comprising a broad cross-section of student, intellectual and worker activists" (*HRWAsia* 4 May 1994, 4). According to Xiao Qiang of Human Rights in China, between March and June 1994 "all the publicly-identified members of the League were arrested" (*Crosslines Global Report* 12-13 Mar. 1995, 22). These included Wang Zhongqiu, who like Liu was subsequently released (*HRIC* 17 Feb. 1995), jurist Wang Jiaqi, who managed to escape custody and flee to the West (*UPI* 12 July 1994; *HRIC* 17 Feb. 1995; *HRWAsia* 4 May 1994, 11), law professor Yuan Hongbing, who remains in custody (*AFP* 17 Oct. 1994; *Eastern Express* 10 Oct. 1994; *UPI* 12 July 1994; *AI* 6 Apr. 1994), and union activist Zhou Guoqiang, sentenced to three years of re-education through labour in September 1994 (*Country Reports 1994 1995*, 560; *Ottawa Citizen* 20 Sept. 1994; *UPI* 12 July 1994). Liu Nianchun, Zhou Guoqiang, Wang Jiaqi and five others had signed the "Peace Charter" in November 1993 calling for democratic reforms and reconciliation between the government and dissidents (*AI* 8 Mar 1994; *AFP* 17 Oct. 1994; *Libération* 28 Aug. 1994; *Eastern Express* 30 Sept. 1994; *Country Reports 1994 1995*, 560; *HRWAsia* 4 May 1994).

Authorities clamped down on the Shanghai-based Human Rights Association of China in the spring of 1994; their March 1993 application for registration of the organization was finally denied in April 1994 (*AI* 10 May 1994; *AI* 15 Mar. 1994; *Country Reports 1994 1995*, 563, 566; *HRWAsia* and *HRIC* 29 July 1994). Those arrested or detained included chair Li Guotao, secretary-general Wang Fuchen, activists Yang Zhou and Dai Xuezhong, and artist Ling Muchen. Wang Fuchen apparently escaped custody after being arrested in April 1994; a report from October 1994 said that he was still on the run (*Eastern Express* 24 Oct. 1994; see also *AI* 10 May 1994; *AI* 15 Mar. 1994). In October 1994 it was announced that Yang Zhou, Bao Ge, Li Guotao, and Yang Qingheng had been administratively sentenced to three years of re-education through labour (*Libération* 12 Oct. 1994; *AsiaWeek* 26 Oct. 1994; *AFP* 18 Oct. 1994; *SCMP* 26 Oct. 1994; *Libération* 19 Oct. 1994; *AFP* 12 Oct. 1994), while Dai Xuezhong received the same sentence in December 1994 (*Country Reports 1994 1995*, 560).

In mid-1992 nine activists from Lanzhou University in Gansu Province were arrested for forming the Social Democratic Party of China, an allegedly "counter-revolutionary" group accused of, among other things, attacking the rule of the Chinese Communist Party, recruiting 26 new members between September 1991 and March 1992, and informing foreign reporters of the creation of the group (*HRWAsia* 4 May 1994, 21-22, 28-32; *HRWAsia* and *HRIC* 29 July 1994, 5). The dissidents were reportedly tried in July 1993, but a year later their families still had not heard the outcome (*ibid.*).

Veteran dissident Liu Jingsheng, who co-edited a journal with Wei Jingsheng during the Democracy Wall movement, was arrested in mid-1992 along with other Beijing activists, known as the "Beijing Fifteen," in part for allegedly plotting to form the Preparatory Committee of the Free Labour Union of China, and for being involved in two other allegedly "counter-revolutionary" organizations, the China Progressive Alliance and the Liberal Democratic Party (*HRWAsia* and *HRIC* 29 July 1994, 1-2, 9; *AAASHRAN* 3 Aug. 1994). The extent of these and other underground political organizations is reportedly difficult to know (*Schell* 1994, 415-416). The trial, postponed twice apparently for political reasons, finally began in July 1994 (*AAASHRAN* 3 Aug. 1994; *HRWAsia* 16 Dec. 1994). The three alleged leaders of these organizations received sentences of 15, 17, and 20 years respectively; six others received sentences of three to eleven years, while five others were found guilty but "exempt from criminal punishment," a status which apparently still leaves them vulnerable to administrative sentencing for up to three years of re-education through labour (*HRWAsia* 16 Dec. 1994).

These sentences have apparently not discouraged other dissidents' efforts to publicize human rights shortcomings in China through petitions to the National People's Congress (NPC). In late February 1995, Wang Dan and 21 other dissidents and imprisoned dissidents' wives signed a petition calling for the abolition of the system of administrative sentencing of re-education through labour ( AP 28 Feb. 1995a; Reuters 28 Feb. 1995). Other petitions sent the same week called for an end to one-party rule, improvements in human rights, investigations into government corruption, and action on specific cases of alleged human rights abuses ( AP 28 Feb. 1995b; *ibid.* 27 Feb. 1995a; *ibid.* 27 Feb. 1995b; *ibid.* 25 Feb. 1995; Reuters 27 Feb. 1995; *ibid.* 26 Feb. 1995). Xiao Qiang reports that Wang Dan was detained and questioned the day after delivering his petition, and that the Speaker of the National People's Congress refused to allow the petition because Wang was still under "deprivation of political rights" following his prison sentence, and was thus not allowed to petition the legislature ( International League for Human Rights 6 Mar. 1995). Similar petitions, sometimes signed by hundreds of people, were addressed to the NPC and other bodies early in 1994 and resulted in a wave of detentions and arrests ( AI 15 Mar. 1994; *ibid.* 8 Mar. 1994; *Country Reports 1994 1995*, 563, 566, 569; HRWAsia 4 May 1994, 22).

## **4.2 Legal Update**

### **4.2.1 Traditional Shortcomings of Legal Protections**

There are many long-standing criticisms of the Chinese legal system's ability to safeguard individual rights, especially for political dissidents. Human Rights WatchAsia and Human Rights in China summarize some of the concerns:

Human rights groups have repeatedly documented the failings of the Chinese justice system, particularly where politically sensitive issues are involved. There is no presumption of innocence in Chinese courts, conditions of pre-trial detention are often severely abusive, coerced confessions are common, sentences are frequently decided by Party committees prior to the hearing of evidence, and judges are generally more versed in the exigencies of politics than in the requirements of law. Lawyers have hardly any time to prepare a defense, and in sensitive cases they may be forbidden from entering a not-guilty plea. Some defendants had no lawyers (19 May 1994, 10; see also DIRB Dec. 1993, 17-21).

Commentary on recent political trials reflects these concerns. As reported in section 4.1, The "Beijing Fifteen" had been held in incommunicado detention for over two years by the time their cases went to trial in the summer of 1994 ( HRWAsia and HRIC 29 July 1994, 1-2; Reuters 15 July 1994; AAASHRAN 3 Aug. 1994). As well, Human Rights WatchAsia and Human Rights in China were told by a source in Beijing that

an official order was issued to various university law departments in the capital banning faculty and students from taking these cases. When the trial opened on July 14, 1994, some of the men had lawyers, while others chose to defend themselves (29 July 1994, 3).

In November 1994 Gao Yu, a reporter who had been arrested in October 1993 just before she was to leave the country for a fellowship at Columbia University ( Reuters 11 Nov. 1994; HRWAsia 4 May 1994; UPI 22 July 1994), was sentenced to six years in prison for "leaking state secrets" ( Reuters 11 Nov. 1994). Neither Gao's husband nor her lawyer were informed of when the trial or sentencing hearing had taken place (*Country Reports 1994 1995*, 559). According to Human Rights WatchAsia,

The "secrets" [Gao] ... was accused of leaking were matters of common knowledge concerning wage reform and personnel re-shuffling linked to the 1993 National People's Congress session and the Second Plenum of the Fourteenth Party Congress. She was also allegedly charged with obtaining a copy of a top-secret speech by Jiang Zemin ( HRWAsia 4 May 1994, 8).

The case against Gao had been previously set aside for insufficient evidence, but instead of being released, Gao remained in detention while prosecutors tried to strengthen their case (*Country Reports 1994 1995*, 559; HRWAsia and HRIC 29 July 1994, 5; UPI 22 July 1994). Gao has reported a variety of health concerns and a lack of proper care from prison authorities since her detention ( HRIC 18 Jan. 1995; UPI 22 July 1994).

The right of appeal in China is, according to sources, very limited (*Country Reports 1994 1995*, 559; HRIC 17 Feb. 1995). Liu Qing of Human Rights in China recently argued in front of the UN Commission on Human Rights that

Starting in 1988, every single day for a year and six months, I myself demanded of the prison authorities that I be allowed to exercise my right to appeal and to bring suit against the persecution I was undergoing, yet I never received a response of any kind ( *ibid.*).

In late 1993 veteran dissident Fu Shenqi attempted to appeal his administrative sentence of three years of re-education through labour. The Labour Re-education Administrative Committee of Shanghai turned down the first appeal, but Fu's wife Li Liping pressed for an open hearing in court, which was held in November 1993 ( Asia Watch Feb. 1994, 10; International PEN June 1994, 15). Fu was reportedly allowed to speak, but his lawyers were greatly hampered in their presentation to the magistrate; Fu's original sentence was upheld ( Asia Watch Feb. 1994, 10; International PEN June 1994, 15; HRIC 17 Feb. 1995).

In February 1995, Yang Zhou was reportedly given leave to appeal his sentence of three years of re-education through labour; his lawyer, however, was given only a few days to prepare the case. Yang's wife, Li Guoping, claimed that authorities told her they had tried to inform her of the appeal earlier but were unable to find her address ( AP 26 Feb. 1995; Reuters 23 Feb. 1995). Yang's appeal was apparently unsuccessful, and Li claims she has been unable to see or write to her husband, or send food, since he was arrested in May 1994 ( AP 11 Mar. 1995). In 1992 Li, a practising lawyer, was disbarred for life after working for her husband's defence ( Asia Watch Feb. 1994, 479).

#### **4.2.2 New Security Regulations**

In June 1994 the Chinese government brought in Detailed Implementation Regulations for the State's Security Law [A preliminary translation of these regulations is provided in HRWAsia and HRIC 29 July 1994, 25-28.]. The regulations give PSB authorities the legal power to bar individuals from entering the country if it is believed that person might endanger state security ( HRWAsia and HRIC 29 July 1994, 26, art. 9). In addition, they bar the establishment of "ties with organizations, institutions, or individuals outside the country, and obtaining their support and assistance for carrying out activities which endanger state security" ( *ibid.*, 25, art. 7 ), while, according to critics, leaving the definition of endangering state security "completely vague and open to political interpretation" ( *ibid.*, 6; *Crosslines Global Report* 12-13 Mar. 1995, 22). The regulations also provide for punishment of individuals by their work units or other "higher competent authorities," including the "state security organs," when they are found to have endangered state security without actually having committed a crime ( HRWAsia and HRIC 29 July 1994, 27, art. 22). Human rights advocates contend that the Detailed Implementation

Regulations are clearly targetted at dissidents attempting to voice political criticisms using legal means ( *ibid.*, 5; *Crosslines Global Report* 12-13 Mar. 1995, 22).

#### **4.2.3 Use of the Legal System by Citizens**

Under the 1990 Administrative Procedure Law, Chinese citizens are allowed to sue officials ( UPI 12 July 1994; *Country Reports* 1994 1995, 558, 560). In addition, new regulations were scheduled to come into effect 1 May 1995 allowing citizens to sue police for corruption or neglect of duties, part of an on-going anti-corruption drive ( Reuters 14 Feb. 1995)[**update ?**]. The government has reported some 70,000 lawsuits against officials since 1990, with a success rate of 37 per cent, while a "considerable number" of others were settled out of court ( UPI 12 July 1994; *FEER* 4 Aug. 1994; see also *Zhongguo Xinwen She* 27 Sept. 1994). According to official figures, 1,094 cases of police and judicial authorities suspected of breaking laws went to court in 1994, with 47 people jailed ( Reuters 13 Mar. 1995). As well, 409 reports of police use of torture, and 4,441 reports of illegal detention were investigated; however no indication of their outcome is available ( *ibid.*). [Overall in 1994, almost half a million criminal case were tried in China, with a conviction rate of over 90 percent ( AP 13 Mar. 1995; *Country Reports* 1994 1995, 559).]

An article in *Business Week* describes the success of one public-interest legal centre in Wuhan ( *Business Week* 6 June 1994). In one case an entrepreneur from Hangzhou, falsely accused of stealing patents, was able to sue the PSB for 500 yuan after they had detained him, "ransacked his home, and confiscated all his belongings" ( *ibid.*). In another case, reported in the Chinese media, two well-known anti-smoking activists sued Beijing PSB authorities for unlawful detention after they had been held for 18 days for peacefully protesting in a Beijing department store ( UPI 21 Nov. 1994; VOA 21 Nov. 1994). They had been protesting on the invitation of the National Smoking and Health Association, and were awarded 3900 yuan (US\$500) ( *ibid.*; UPI 21 Nov. 1994).

In many cases, however, corruption within the court system has been a problem ( LCHR July 1994, 51; *SCMP* 21 Aug. 1994). According to the Lawyers Committee on Human Rights,

Reports from Chinese sources in the past year [1993] tell in shocking detail of an increasingly sophisticated system under which release from custody may be obtained for a certain amount, medical parole for another sum, and so forth. Corruption represents an obvious distortion in the legal system, creating the potential for substantial human rights abuses ( LCHR July 1994, 51).

In one case, Zhang Xin, a judge from Shenzhen, was reportedly placed under house arrest several times after he discovered that his superior was having an affair with his wife. A subsequent letter campaign to expose corruption in the courts reportedly landed him in a "labour education centre," from which he eventually escaped and fled to Hong Kong and the United States (*SCMP* 21 Aug. 1994). In addition, according to a UPI report, jurist Wang Jiaqi, who was arrested in March 1994 but managed to escape to the United States,

recently cited two cases he had been working on before his detention. One involved the police beating up the driver of a car involved in a traffic offense, the other the death in police custody of a peasant accused of street brawling. In the first case, the driver turned out to be the son of Qiao Shi, head of China's national security, and Beijing's chief of police went personally to apologise to him. But the peasant's family in the second case got nowhere. They spent 10,000 yuan (\$1,150)--several years' wages for the average peasant--trying to discover what happened. A string of independent lawyers turned the case

down and when Wang finally presented the case to a Beijing law court, the judge refused to hear it ( UPI 12 July 1994).

According to UPI, despite a dramatic increase in the number of lawyers and lawsuits in China, "Politically sensitive areas like human and worker rights have proven to be no-go areas in the government's eyes. Individual lawyers are warned not to defend political dissidents ... or advise in cases alleging police brutality or high-level corruption" ( *ibid.*). Besides those mentioned above, Wang Jiaqi was involved in a number of other cases against officials, including that of Yan Zhengzixue, a Zhejiang Province delegate to the People's Congress and dissident painter who had sued police for illegally detaining and beating him in 1993 ( HRWAsia 4 May 1994, 7, 11; *Ottawa Citizen* 20 Sept. 1994; HRWAsia and HRIC 29 July 1994, 15). A police officer was given a one-year suspended sentence in that case. Shortly afterward, however, Yan's son was struck and killed in Beijing by an "official-looking vehicle," and Yan was arrested for alleged bicycle theft and given a two-year sentence, while Yan's lawyer, Yuan Hongbing, was also arrested and remains in custody (*Ottawa Citizen* 20 Sept. 1994; AFP 17 Oct. 1994; *Eastern Express* 10 Oct. 1994; UPI 12 July 1994; AI 6 Apr. 1994; HRWAsia 4 May 1994, 7).

## 5. LIMITS OF EXPRESSION

### 5.1 Publishing and Broadcasting

The DIRB's December 1993 *Question and Answer Series: China: Economic Growth and Human Rights* describes the communications revolution that has been taking place in the PRC in recent years. Changes include an increase in the use of fax machines, satellite dishes, direct-dial international telephone lines, personal pagers, the proliferation of tabloids and other publications, as well as changes that privatization is bringing to radio programming, advertising, and news gathering ( DIRB Dec. 1993, 7-12). According to a recent *New Yorker* report by Orville Schell, illegal underground publishing, including the publishing of dissidents' manuscripts, flourished in the late 1980s, slowed considerably in the fall-out from Tiananmen Square, but increased again after Deng Xiaoping's 1992 southern tour revived economic reforms (*New Yorker* 25 July 1994, 28-29). A banned book critical of the Chinese economy is said to have sold almost a million copies ( *ibid.*, 30). By 1992, one-third of the 90,000 titles published in China were estimated to be illegal ( *ibid.*; see also *Country Reports 1994 1995*, 562; *Current History* Sept. 1994b, 270-271).

There have also been changes in radio programming, including a proliferation of call-in shows in large cities like Shanghai, in which people comment publicly on cultural, social, family, and local issues (*New Yorker* 25 July 1994, 31-32; *Business Week* 6 June 1994). However, political commentary remains problematic and controversial views are still excluded from these shows and from print media (*New Yorker* 25 July 1994, 31; see also *Country Reports 1994 1995*, 562; *FEER* 1 Sept. 1994; *Current History* Sept. 1994a). Schell also describes the government's largely ineffective ban on the private use of satellite dishes without official permission (*New Yorker* 25 July 1994, 34; see also *Country Reports 1994 1995*, 562; *SCMP* 26 Sept. 1994), and the sporadic, although sometimes severe, punishments meted out in an effort to enforce publishing and broadcasting regulations that are ignored by a large number of people (*New Yorker* 25 July 1994, 34). According to Schell,

The reality of China today is that issuing edicts against the sale of satellite dishes, banning books, fining second-channel publishers, and even imprisoning the occasional book king [illegal distributor] have done little to slow down the commercial forces that are driving China's quasi-underground media forward (*New Yorker* 25 July 1994, 34).

However, Schell sums up,

for those to whom freedom of the marketplace is less important than freedom of expression and freedom from political persecution, and for those who still languish in prison for their political views, the changes sweeping China still have not delivered very immediate returns ( *ibid.*, 35).

Thus the writing, printing or distribution of political pamphlets and handbills, for instance, were considered part of the crimes committed by such dissidents as the "Beijing Fifteen" ( AAASHRAN 3 Aug. 1994; HRWA and HRIC 29 July 1994, 9), several Guangdong activists ( HRW Dec. 1993, 152), and Tibetan scholar Samdup Tsering ( Central Tibetan Administration 9 Aug. 1994; International PEN June 1994, 25). Many others detained in 1994 had signed petitions aimed at the government ( AI 15 Mar. 1994; *ibid.* 8 Mar. 1994; *Country Reports 1994 1995*, 566, 569; International PEN June 1994, 14-25). In addition, Lin Mu was detained in January 1995 and had his manuscripts confiscated for writing about ex-Communist Party General-Secretary Hu Yaobang, under whom he had served as secretary ( HRIC 17 Feb. 1995). Independent publisher Liu Taiheng, of the Hainan Publishing House, was reportedly arrested in October 1993, possibly in connection with the publication of a banned book on war compensation from Japan ( International PEN June 1994, 16-17). Several journalists also have been arrested in recent years; their cases are described below.

## **5.2 Journalists and Artists**

In the last few years several journalists have been detained and/or sentenced for allegedly "leaking state secrets" to foreign reporters or press services. In April 1993, Wu Shishen, a *Xinhua* editor, was sentenced to life imprisonment for selling to a Hong Kong reporter the text of Communist party leader Jiang Zemin's address to the 14<sup>th</sup> Party Congress a week before its official release, while Ma Tao, of *China Health Education News*, was sentenced to six years as an accomplice ( Asia Watch Feb. 1994, 7; LCHR July 1994, 53; HRW Dec. 1993, 153; *SCMP* 18 Oct. 1994a). Xi Yang, a Hong Kong-based reporter for *Ming Pao*, was arrested in Beijing in September 1993, and sentenced in March 1994 to 12 years in prison and two further years of deprivation of political rights for allegedly leaking information about interest rates and gold transactions of the People's Bank of China ( International PEN June 1994, 19; *Business Week* 6 June 1994; HRWAsia 4 May 1994, 7; *SCMP* 18 Oct. 1994a; *Country Reports 1994 1995*, 562). The stiff sentence has been interpreted as a warning to Hong Kong reporters to censor their reporting ( HRWAsia 4 May 1994, 7; *FEER* 1 Sept. 1994). Tian Ye, a bank official who allegedly leaked the documents to Xi, was sentenced to 15 years in prison and a further three years of deprivation of political rights (*Country Reports 1994 1995*, 562; Reuters 11 Nov. 1994).

Bao Weiji and his wife Zhao Lei, former Foreign Ministry employees, were sentenced in May 1993 to ten and six years in prison respectively for allegedly giving secret documents to *Washington Post* bureau chief Lena Sun, whose Beijing office was raided by security agents in May 1992 ( Asia Watch Feb. 1994, 4-5; HRW Dec. 1993, 153; AI 1994, 100; *SCMP* 18 Oct. 1994a). Also sentenced in the case were Tang Yi, an assistant to the Commerce Minister, and journalist Wang Jun, to four and two years in prison respectively ( Asia Watch Feb. 1994, 5). The charge of leaking state secrets was also levelled against Beijing University law teacher Yu Meisun, who was sentenced to three years in prison in October 1994 for allegedly giving state documents to a reporter who worked for a Shanghai newspaper; the reporter in this case was apparently released after questioning (*SCMP* 29 Oct. 1994).

International PEN also recorded several incidents of intimidation of foreign reporters in the first half of 1994. In March, Nick Driver of UPI and Matthew Forney of *Newsweek* were detained and interrogated for six hours after interviewing dissident Liu Nianchun, while Caroline Straathof of the Dutch newspaper

*De Volkskrant* was similarly detained and interrogated, and had work confiscated, after visiting someone thought to have contact with Liu ( International PEN June 1994, 22; AI 15 Mar. 1994). James Hattori and Joan Gilbertson of CBS, along with their cameraman and Chinese driver, were detained and questioned for two hours in June 1994 after filming soldiers on Tiananmen Square, and had to give up their footage ( International PEN June 1994, 22). In May 1994 an NBC film crew also had to give up footage as well as passports, and were detained and questioned for an hour, after interviewing Wang Dan ( *ibid.*). *Wall Street Journal* correspondent Kathy Chen and BBC journalist Carrie Grace also reported episodes of short detention and interrogation in June and March 1994 respectively ( *ibid.*).

In May 1994 Human Rights WatchAsia reported "a far-reaching political clampdown on the arts [in which] film directors, poets, and publishers have been harassed or banned from working" ( HRWAsia 4 May 1994, 2; see also International League for Human Rights 6 Mar. 1995). According to *Country Reports 1994*, "Seven film directors were banned in March [1994] for entering their works in an overseas film festival without going through official channels" (*Country Reports 1994* 1995, 562). Internationally-renowned filmmaker Zhang Yimou reportedly had to make a "self-criticism" in September 1994 for allowing his film *To Live* to be submitted to the Cannes Film Festival without submitting it to authorities for "official examination" (*Ming Pao* 20 Sept. 1994). In 1993 the award-winning film *Farewell My Concubine* required "substantial cuts" before it could be released in China ( HRW Dec. 1993, 153). Also in 1993, according to Human Rights Watch, "At the first Shanghai International Film Festival, works by China's independent filmmakers were banned without exception" ( *ibid.*).

Ma Liuming and Zhu Min, two Beijing "performance artists," were arrested in summer 1994 while performing a nude piece; the entire audience was also reportedly detained ( BBC Summary 1 Aug. 1994; *Current History* Sept. 1994b, 273). At the same time some 20 to 30 other performance artists in Beijing's Dongfang Village were reportedly forced out of their homes ( BBC Summary 1 Aug. 1994). There are an estimated 100 performance artists in each province of China ( *ibid.*).

Geremie Barmé writes in *Current History* that there has been a growth of what he calls "bankable dissent" among underground artists, writers, and intellectuals who "are not considered a threat to the present regime ( Sept. 1994b, 270, 272). He reports that many artists and thinkers who are not officially recognized in China have found outlets for their work in Hong Kong and Taiwan, and several "prodigal cultural dissidents" have been able to safely return to China from abroad ( *ibid.* 272-273):

[These cultural dissidents] see the possibilities of using China as a backdrop for artistic endeavors that are aimed at an elite Western or Asian audience, and the exigencies of exploiting China's reputation as a repressive totalitarian state for the marketing of their work. Like their Hong Kong and Taiwan compatriots, this group along with their nonofficial cultural colleagues in China, remain at the forefront of "Othering the Motherland," a process of maintaining and exploiting the mystique of socialist China ( *ibid.* 272).

## 6. TREATMENT OF POLITICAL DISSIDENTS

### **6.1 Incommunicado Detention, Administrative Sentencing, Petty Charges**

A number of commentators have recently noted that the Public Security Bureau (PSB) is increasingly holding political dissidents for long periods without charge and without informing their families, and sometimes without acknowledging that the individual is in their custody ( HRWAsia and HRIC 29 July 1994, 1; *Ottawa Citizen* 20 Sept. 1994; LCHR July 1994, 50; *Libération* 28 Aug. 1994). For example, in May 1994 longtime activist Liu Nianchun was led away by plainclothes officers in Beijing, but officials

only acknowledged they were holding him in September (*Ottawa Citizen* 20 Sept. 1994; HRWAsia and HRIC 29 July 1994, 4, 12). As reported in section 4.1, Liu was finally released without charge the next month (AFP 17 Oct. 1994; *SCMP* 18 Oct. 1994b; *Country Reports 1994 1995*, 563; HRIC 17 Feb. 1995). Other recent examples of prolonged detention without charge or contact with family members include Wei Jingsheng, Shanghai dissident Dai Xuezhong, Beijing University professor Xiao Biguang, and members of the "Beijing Fifteen" (*Country Reports 1994 1995*, 558; *Ottawa Citizen* 20 Sept. 1994; HRWAsia and HRIC 29 July 1994, 1-2, 4, 11, 14; *Eastern Express* 10 Oct. 1994), as well as Tibetan scholar Samdup Tsering (Central Tibetan Administration 9 Aug. 1994).

Political dissidents are also often held without charge under administrative detention, possibly to avoid the publicity and international attention that a trial might bring (AI June 1994, 4; *ibid.* 10 May 1994; LCHR July 1994, 50; AFP 12 Oct. 1994; HRWAsia and HRIC 29 July 1994, 6). One form of administrative detention is "shelter for investigation," which allows authorities to detain individuals without charge; it is used to hold almost one million people annually, according to a 1992 Chinese media report cited by *Country Reports 1994* (*Country Reports 1994 1995*, 558; see also AI June 1994, 4). One example is the case of Lu Honglai, a veteran activist from Tianjin who was arrested in Guangzhou and charged in July 1994 with planning to leave the country illegally. His wife, Li Jiyan, was reportedly told by authorities that Lu was being detained for investigation of the alleged crime, which could take up to one year before completion (*Eastern Express* 4 Oct. 1994).

Several examples have already been given in this report of dissidents being sentenced administratively by the police for up to three years of re-education through labour, rather than being formally tried in a court. Administrative sentencing allows police to by-pass trials, and has been widely criticized for many years (AI June 1994, 4; *ibid.* 10 May 1994; see also DIRB Dec. 1993, 29). According to Xiao Qiang, in 1994

"Re-education" was clearly seen by the authorities as a convenient way of dealing with dissidents without the publicity or the evidentiary problems of a trial. Most families have not even been given the "re-education" orders, as is required under Chinese law, and this makes it virtually impossible to appeal the sentences (*Crosslines Global Report* 12-13 Mar. 1995, 23).

Although many dissidents are still being charged with crimes of counter-revolution (*Country Reports 1994 1995*, 560; AFP 19 Nov. 1994; *SCMP* 28 Aug. 1994; HRWAsia and HRIC 29 July 1994, 1-2; HRWAsia 16 Dec. 1994; AI 1994, 98-99), authorities are increasingly charging activists with petty crimes, possibly to avoid international notice (*Crosslines Global Report* 12-13 Mar. 1995, 22-23) [The charge of "leaking state secrets" levied against several journalists and officials has been described by the Lawyers Committee for Human Rights as an example of authorities using an alternative charge because it "appears more palatable to the outside world than the use of 'counterrevolutionary' charges" (LCHR July 1994, 53).]. Amnesty International reports that this was the case with many of the thousands of less well-known people incarcerated after the June 1989 crackdown, the charges often being "hooliganism" or "disturbing public order," but with disproportionately harsh sentences (AI June 1994, 1, 3). Wei Jingsheng's secretary, Tong Yi, was charged in August 1994 with allegedly forging an official stamp while applying to study at Columbia University. However, her sentence of two and a half years, announced in December 1994, is for "disturbing public order." She has complained of beatings in prison, of enforced long work hours, and of having to share a cell with ten other prisoners (*Crosslines Global Report* 12-13 Mar. 1995, 23; *Eastern Express* 1 Nov. 1994; HRWAsia 24 Jan. 1995; *Country Reports 1994 1995*, 560). Zhang Lin, a veteran activist sentenced to two years on "counter-revolutionary" charges in 1989 and released in March 1991, was again arrested in Beijing in May 1994,

reportedly while planning a commemoration of the 4 June 1989 crackdown ( HRWAsia and HRIC 29 July 1994, 15). This time he was sentenced to three years of re-education through labour, to be served in a coal mine. The charge against him, however, was "hooliganism" for not having his marriage license in order (*Crosslines Global Report* 12-13 Mar. 1995, 23; Reuters 4 Sept. 1994; AP 21 Feb. 1995).

## **6.2 Surveillance, House Arrest, Round-ups**

Political dissidents in the PRC who are not in prison often face discrimination and encounter difficulty finding employment (*Country Reports 1994 1995*, 561; *Crosslines Global Report* 12-13 Mar. 1995, 24), although economic reforms reportedly allow for more options for finding individual work apart from state employment [Orville Schell reports that in 1992 nearly three-quarters of urban workers were still employed by the state (1994, 394). On side-streets in Shanghai he found "flotillas of small private stalls, often run by ex-prisoners or youths who had done time in reeducation-through-labor camps and could not get government jobs upon release. They sold everything from lingerie to shoes and hats to T-shirts, many emblazoned with English words and phrases" ( *ibid.* 386).] (*Country Reports 1994 1995*, 561; *New Yorker* 29 July 1994, 35). Dissidents are often trailed by PSB members, endure close surveillance, and are frequently rounded-up for short periods of questioning ( AI 1994, 99; AFP 9 Aug. 1994; VOA 7 Dec. 1994; HRWAsia 8 Dec. 1994; HRWAsia and HRIC 29 July 1994, 11; *Eastern Express* 14 Sept. 1994). [The cases of several dissidents who were detained or questioned during events of international significance are discussed in section 3.1. ] Seventy-four-year-old Xu Liangying was placed under virtual house arrest in March 1994 after signing a petition asking the government to release political prisoners ( AI 15 Mar. 1994). Chen Ziming, released early for medical parole from his 13-year sentence following the June 1989 crackdown, is also under house arrest with PSB agents permanently stationed in the hallway outside his apartment, stopping visitors and keeping Chen from even taking a walk. His wife, Wang Zhihong, has complained that they are both effectively prevented from earning a livelihood by the close surveillance (*Eastern Express* 14 Sept. 1994; *SCMP* 4 Oct. 1994; *Country Reports 1994 1995*, 557, 560-561; *New York Times* 29 Aug. 1994, A2; *FEER* 8 Sept. 1994). PSB officials also reportedly interfered with Chen's recent treatment in hospital for cancer ( AAASHRAN 26 Oct. 1994; *Eastern Express* 14 Sept. 1994).

Ding Zilin, a Philosophy professor at Beijing University and mother of a 17-year-old boy who was killed in Beijing during the June 1989 crackdown, has sent information on nearly 100 of the crackdown victims to Hong Kong for publication. As a result, she and her husband Jiang Peikun endure frequent periods of heavy surveillance--11 between March and September 1994--and occasional questioning (*SCMP* 17 Sept. 1994; AFP 15 Sept. 1994). Police reportedly told Ding that her virtual house arrest was needed to protect her from other citizens whose feelings had been hurt by her work (*Crosslines Global Report* 12-13 Mar. 1995, 24). As well, veteran activist Lu Honglai, secretly detained in mid-June and finally charged in July 1994 with trying to leave the country illegally, had reportedly protested the tight surveillance imposed on him by the PSB as the 5<sup>th</sup> anniversary of the Beijing massacre approached (*Eastern Express* 4 Oct. 1994; HRWAsia and HRIC 29 July 1994, 12-13). Several other dissidents released from detention remain under surveillance by the PSB ( AI 1994, 99).

American Orville Schell was questioned by the Beijing PSB along with his pregnant wife in 1991, ostensibly for not having registered promptly at his hotel, but more probably for planning to deliver a speech on human rights to other foreigners in Beijing ( Schell 1994, 256-264). Their brief but unsettling exposure to official scrutiny produced notable side-effects: he and his wife endured close surveillance afterwards, and many of their Chinese friends refused to associate with them. Writes Schell,

Although ultimately I was not required to pay a fine and was able to leave the country

without incident, the whole experience highlighted for me the way the state has succeeded in using fear and ostracism to isolate and control anyone it views as politically suspect. Once an individual is tainted by accusation, he becomes ensnared in a crippling psychological paradox. Not only is he made to feel sullied, but at the same time he also acquires the unshakeable capacity to sully everyone he comes in contact with as well. Thus in one deft stroke, the Party is able to contrive a devastating condition of double jeopardy. First, it cripples those it condemns with accusations of political incorrectness, and then it delivers a *coup de grace* by transforming the accused from simple victims into potential destroyers of all their friends and relatives as well. A few exceptional people may remain loyal under such circumstances, but historically, many more Chinese have found it expedient to abandon friends and colleagues--sometimes even divorce spouses, and sever all connection with parents and children--to escape guilt by association (1994, 262).

### **6.3 Treatment of Family Members**

Family members often become the spokespeople for arrested dissidents (*Eastern Express* 10 Oct. 1994; *ibid.* 25 Oct. 1994; AFP 17 Oct. 1994; Reuters 4 Sept. 1994; AFP 4 Oct. 1994), and their own lives and employment opportunities can be disrupted (*Country Reports 1994 1995*, 561; AI June 1994, 31). For example, Wang Hui, the wife of detained labour activist Zhou Guoqiang, disappeared at the end of April 1994. Her father has been unable to locate her through the police or PSB (*Ottawa Citizen* 20 Sept. 1994; HRWAsia and HRIC 29 July 1994, 15). Jailed veteran activist Ren Wandong's wife, Zhang Fengyin, was at the centre of a housing dispute in Beijing over which she demonstrated outside a police station (Asia Watch Feb. 1994, 70; *Country Reports 1994 1995*, 561). Zhang and her 13-year-old daughter had been evicted from their apartment just before Ren's sentencing, and in July 1993 were detained for ten days, reportedly to keep them from further publicizing either their plight or Ren's deteriorating medical condition (Asia Watch Feb. 1994, 70). *Country Reports 1994* reports that Zhang and her daughter "remained in poor housing during 1994" (*Country Reports 1994 1995*, 561). The family members of escaped dissident Wang Fuchen have also reportedly endured frequent police questioning and visits (*Eastern Express* 24 Oct. 1994). Similarly, the parents of Bao Ge were brought to the police station for questioning following Bao's arrest in June 1993 for attempting to register a human rights organization (HRWAsia and HRIC 29 July 1994, 11). The family's telephone was cut off reportedly because police suspected them of contacting foreign reporters (*SCMP* 26 Oct. 1994).

Chen Zemin's wife Wang Zhihong has complained that heavy surveillance has stopped her from working. In October 1994 she told a *South China Morning Post* reporter, "How can I go to work if the public security officers follow me to the office? Before, I used to take orders such as typing at home, but now nobody can enter our home under the surveillance and where can I get the clients?" (*SCMP* 4 Oct. 1994). Li Jingfang, the wife of incarcerated dissident Qin Yongmin, has reportedly been warned not to talk to foreign reporters about her husband's deteriorating health. Li claims that Qin was tortured twice in June and July 1994, and has been denied adequate medical treatment for a number of conditions allegedly resulting from his ill-treatment (*New York Times* 29 Aug. 1994, A1-A2; *FEER* 8 Sept. 1994; *Libération* 28 Aug. 1994; *Eastern Express* 30 Sept. 1994).

### **6.4 Prison Conditions**

[For background discussion of the Chinese prison system, please see the DIRB's *Question and Answer Series: China: Economic Growth and Human Rights*, December 1993, pp. 28-32.]

Long-standing concerns regarding the treatment of political prisoners in the Chinese prison or labour reform system include the use of torture and forced labour, solitary confinement, and the withholding of medical treatment (see DIRB Dec. 1993, 28-32; *ibid.* Dec. 1991, 54-57). Yang Zhou was reportedly

beaten so badly by police in early 1994 that he will be scarred for life (*Libération* 28 Aug. 1994; HRWAsia and HRIC 29 July 1994, 14-15). Liu Gang, a Tiananmen Square leader who was arrested in June 1989 and sentenced in February 1991 to six years in prison and a further two years' deprivation of political rights, claims he has suffered severe torture while in prison ( Asia Watch Feb. 1994, 65-67; see also DIRB Dec. 1993, 24), and denied medical treatment ( Asia Watch Feb. 1994, 66). Liu's family was denied permission to visit him at the Lingyuan Labour Reform Camp [For a report on the Lingyuan Labour Reform camp and its use of prison labour for export production, please see *News From Asia Watch* [New York], 1 September 1992, Vol. 4, N<sup>o</sup>. 23, "China: Political Prisoners Abused in Liaoning Province as Official Whitewash of Labor Reform System Continues."] in Liaoning Province ( *ibid.*, 66-67; AI June 1994, 5-6). Officials allowed journalists to see him through a glass panel in February 1994, but they were not permitted to speak with him ( *ibid.*, 6; *Country Reports 1994 1995*, 558). Chinese officials portray Liu as a liar and deny that he has been ill-treated ( Asia Watch Feb. 1994, 66-67; *Country Reports 1994 1995*, 558).

Amnesty International's June 1994 report *China: Human Rights Violations Five Years after Tiananmen* includes an appeal from prisoners at Hangyang prison, in Hubei Province, many of whom had been arrested in the crackdown after 4 June 1989. Incidents of torture from 1990-91 include beatings, whippings, solitary confinement, and denial of medical care ( AI June 1994, 22). The Amnesty International report states that 300 of the 500 people arrested for pro-democracy activities in 1989 and sent to Beijing N<sup>o</sup>. 1 Reform-Through-Labour Detachment have been released ( *ibid.*, 31). However, for those still in detention, their

conditions and treatment ... are reported to be particularly harsh. They are required to carry out hard manual labour, including highly-labour intensive agricultural work and road-repairs. Those who do not fulfil the daily work quotas assigned to them are reportedly subjected to punishments, including deprivations of food and corporal punishments, and many are said to be in poor health. In most cases, their families are reported to live in miserable conditions ( *ibid.*)

Many political prisoners are kept in solitary confinement ( AI 1994, 100). Amnesty International reports that Sun Xiongying, sentenced to 18 years in prison for defacing a statue of Mao Zedong and putting up posters in Fuzhou, Fujian Province, was held in solitary confinement for six months, while two others, Yu Zhijian and Yu Dongyue, were kept in solitary for two years, and ill-treated physically ( AI June 1994, 44). At Beijing N<sup>o</sup>. 2 prison, Shi Xuezhi was given solitary confinement and electric shocks after he put a note in a latex glove he was inspecting, hoping a foreign buyer would read it and realize this export product was made by prison labour ( HRWAsia and HRIC 19 May 1994, 4). Similarly, Shen Licheng protested long working hours at the prison and also received electric shocks, a beating, and solitary confinement ( *ibid.*, 5). Prisoners in solitary confinement are reportedly handcuffed and shackled ( *ibid.*, 7), and can be kept in cells as small as four square metres ( AAASHRAN 26 Oct. 1994).

Several political prisoners have suffered deteriorating health while in prison. The case of reported torture victim Qin Yongmin has been mentioned in section 6.3; he has complained of inadequate medical care after his beatings in prison (*Country Reports 1994 1995*, 557; *FEER* 8 Sept. 1994; *Eastern Express* 30 Sept. 1994). Ren Wanding, who served four years in prison in the early 1980s for founding China's first human rights organization, is currently serving seven years, with a further three years' deprivation of political rights, for his role in the 1989 protests ( Asia Watch Feb. 1994, 68-69). Ren suffers from a number of serious conditions, including deteriorating eyesight, sciatica, and chronic gastritis ( *ibid.*). His supporters have complained for years that his health is failing in prison and that he is being denied adequate care ( *ibid.*; *Country Reports 1994 1995*, 557).

Bao Tong, 62, formerly a top adviser to ex-Communist Party General-Secretary Zhao Ziyang, who was ousted in the June 1989 crackdown, is the most senior official still in prison after the crackdown (*Eastern Express* 1 Nov. 1994). His wife, Jiang Zongchao, has appealed for his release on medical grounds ( *ibid.*; *Asia Watch* Feb. 1994, 61-62). Bao has undergone a number of operations, but requests to be treated by his own doctor have been denied ( *Asia Watch* Feb. 1994, 62). *Asia Watch* reported in February 1994 that Bao was being kept in solitary confinement in Qincheng Prison, "China's main detention facility for top political prisoners" ( *ibid.* 61).

Journalist Gao Yu is being held in Yanqing Prison, 50 miles north of Beijing, described by Human Rights in China as "a hospital prison holding about 1,000 inmates, 60 to 70 percent of whom are thought to be mentally ill" ( HRIC 18 Jan. 1995). Gao has complained of deteriorating health and of having to share a cell with murderers and robbers ( *ibid.*) A number of political prisoners are also said to be held in psychiatric institutions in Beijing and Shanghai (*Country Reports 1994 1995*, 557; *Asia Watch* Feb. 1994, 27, 114-115; Reuters 17 Sept. 1993b). Wang Wanxing, for example, was arrested for unfurling a banner in Tiananmen Square in June 1992 protesting, among other things, the 1989 Beijing massacre and Wang's own periods of political imprisonment in 1966 and 1976, when he had supported Deng Xiaoping during periods of Deng's political disfavour ( *Asia Watch* Feb. 1994, 114-115; Reuters 17 Sept. 1993b). Wang was diagnosed as suffering from "political paranoia," and his wife, under pressure, agreed to have him committed to Beijing's Ankang Psychiatric Hospital to avoid labour camp. However, Wang has subsequently complained that he is not a psychiatric patient and is being forced to take medication ( *ibid.*; *Asia Watch* Feb. 1994, 114-115).

Briefly, two other prison-related issues which have received a great deal of attention in recent years concern China's world-leading, and increasing, use of capital punishment ( AI 5 May 1994; *Toronto Star* 29 Oct. 1994), and the reportedly widespread and lucrative trade in the organs of executed prisoners ( HRWAsia Aug. 1994; *Toronto Star* 29 Oct. 1994; *SCSMP* 30 Oct. 1994). Amnesty International recorded 2,564 people sentenced to death in China in 1993, with 1,419 known to have been executed. These figures are estimated to be much lower than the number of actual executions ( AI 5 May 1994). Gao Peiqui, an exiled former PSB officer of 10 years standing, stated recently that as many as 10,000 executions are performed in China annually (*Toronto Star* 29 Oct. 1994). The U.S. Department of State, however, reports that there were no known cases of executions for political offenses in 1994 or 1993 (*Country Reports 1994 1995*, 560; *Country Reports 1993 1994*, 608).

An August 1994 report by Human Rights WatchAsia alleges that "executed prisoners are the principal source of supply of body organs for medical transplantation purposes in China" and notes with alarm "the obvious linkage between China's extensive use of the death penalty and the country's burgeoning organ trade and transplant program" (2). *The South China Sunday Morning Post* reported on 30 October 1994 that at least one Hong Kong renal specialist, Dr. George Chan Man-kam, maintains a network of contacts in China who call him when executions are scheduled. Kidney operations in China are reported to cost foreigners up to \$44,000 (*Toronto Star* 29 Oct. 1994). A recent BBC documentary reportedly alleges that ambulances often wait at execution sites in order to recover organs (ctd. in *ibid.*); donor permission is reportedly rarely sought ( *ibid.*; HRWAsia Aug. 1994, 2).

## 7. FURTHER DISCUSSION

One factor which could have a large impact on the treatment of dissidents in China is the apparent ill-health of aging patriarch Deng Xiaoping, and the Chinese government's efforts to prepare for the post-Deng era. As reports of Deng's declining health are received (*Toronto Star* 16 Oct. 1994; Reuters 12 Feb. 1995; *ibid.* 13 Feb. 1995), officials are said to be very cautious about either allowing opposition

voices or angering the public with public arrests and sentencings: thus the tendency for dissidents to be charged more often for non-political crimes, and held incommunicado for long periods possibly to avoid publicity ( AFP 12 Oct. 1994; VOA 11 Oct. 1994; *New York Times* 29 Aug. 1994).

The reform process continues to bring accelerating social changes to China, which include higher living standards in some areas and more social freedoms (*Business Week* 6 June 1994; *Country Reports 1994* 1995, 556), but also include widening regional economic disparities, rampant inflation, increasing crime and corruption, and eroding centralized government control ( Reuters 3 Mar. 1995; AP 25. Feb. 1995; *Current History* Sept. 1994a; *FEER* 4 Aug. 1994). Exiled Chinese dissident reporter Liu Binyan writes:

... five years after the Tiananmen movement was crushed, the Communist regime is more tense than ever. With the exception of a few large cities such as Beijing, Shanghai, and Guangzhou, the Chinese people feel that the situation looks more and more like the eve of Tiananmen. Inflation has already surpassed its 1988 record highs; corruption has spread through party and government organs and is much more serious than it was in 1989. And the unequal distribution of resources in society, which already existed in 1989 but was not mentioned in the slogans of the Tiananmen movement, now incurs at least as much popular wrath as does corruption (*Current History* Sept. 1994a).

Similarly, in an article focusing on positive aspects of reform for many in the country, *Business Week* notes that "The [Communist] party still maintains its monopoly on power. Moreover, the state controls the media and arrests whomever it wants" (*Business Week* 6 June 1994). Their conclusion is similar to Liu Binyan's above:

Inflation is 24.6% in the big cities, and corruption among officials is widespread. In 1989, that combination led to large antigovernment demonstrations. If similar unrest breaks out after the death of 89-year-old Deng, the leadership may once again call in the troops ( *ibid.*).

## **APPENDIX: NOTES ON SELECTED SOURCES**

### **American Association for the Advancement of Science Human Rights Action Network (AAASHRAN).**

The American Association for the Advancement of Science (AAAS) is a non-profit, non-governmental association headquartered in Washington, DC. It was founded in 1848 and currently lists over 134,000 members among the scientific community in the US and other countries (AAAS n.d.a). The Science and Human Rights Program of the AAAS was founded in 1976 and aims, among other things, "to document human rights violations affecting the scientific community world-wide and to bring effective aid to foreign scientists, health professionals, engineers, teachers and students in these fields whose internationally recognized human rights have been violated." The AAAS Science and Human Rights Action Network (AAASHRAN) has been operating as an electronic network since 1993, circulating bulletins to subscribers with suggestions for support activities. Major financial support is provided by AAAS and the Ford Foundation ( AAAS n.d.a; *ibid.* n.d.b).

### **Brook, Timothy.**

Dr. Brook is the author of *Quelling the People: The Military Suppression of the Beijing Democracy Movement* (New York: Oxford University Press, 1992), and has in the past briefed IRB members on the human rights situation in China. He is currently working on projects concerning the Ming Dynasty and on wartime collaboration between China and Japan.

### **Chinese Media Sources (various):**

This report makes use of some Chinese media sources, including *Beijing Review*, *Guangming Ribao*, and *Zhongguo Xinwen She*. These sources are provided in English translation through the Foreign Broadcast Information Service (FBIS), which publishes daily a wide variety of articles from the Chinese press, radio and television. Chinese media in general is regarded as an important propaganda tool by the government and cannot be expected to publish or broadcast any material critical of government policy or practice (see, for example, Xinhua 6 May 1993, "Stronger Management Over Publications Urged" [FBIS-CHI-93-090 12 May 1993, pp. 15-16] or *Renmin Ribao* 6 May 1993, "Xinwen Zhanxian News Front Carries Commentator's Article on Press Reform" [FBIS-CHI-93-090 12 May 1993, pp. 14-15]). Thus these sources must be regarded with great care. However, since Chinese media outlets have traditionally acted as a voice for the government, they can be used by outside sources to learn more about government policies and to get a view of what the government is communicating to the Chinese people about a specific issue. Speeches by government officials, reports of government statistics, and, occasionally, the full text of policies, laws or regulations can be found in the Chinese press. For more information on the Chinese media, please see Allison Liu Jernow's *'Don't Force Us to Lie': The Struggle of Chinese Journalists in the Reform Era* New York: Committee to Protect Journalists, January 1993), and Orville Schell, "Letter from China: To Get Rich is Glorious," *The New Yorker*, 25 July 1994.

### **Human Rights in China (HRIC)**

Human Rights in China (HRIC) is an independent New York-based group reporting on human rights in the PRC. Among its Board of Directors are such exiled dissidents as Bei Dao, Fang Lizhi, Liu Binyan, and Zhang Weiguo, as well as Sidney Jones and Robin Munro of Human Rights WatchAsia, and authors Andrew Nathan, Anne Thurston and Orville Schell ( HRIC fax 14 Mar. 1995).

### **Schell, Orville. 1994. *Mandate of Heaven: A New Generation of Entrepreneurs, Dissidents, Bohemians, and Technocrats Lays Claim to China's Future*. New York: Simon & Schuster.**

Orville Schell is the author of several books on social and political change in China. He is also vice chair of the Advisory Committee for Human Rights WatchAsia and a board member for Human Rights in China. *Mandate of Heaven* provides a comprehensive description of political, economic and social changes in China from 1989 to mid-1994. "The Second Channel," a chapter detailing changes in publishing and communications in China, is reprinted in *The New Yorker*, 25 July 1994, as "Letter from China: To Get Rich is Glorious." In *Mandate of Heaven* Schell focuses on the symbolism of Tiananmen Square and the post 4 June 1989 crackdown, describes the political "chill" of the early 1990s, and details the extraordinary economic boom following Deng Xiaoping's 1992 southern tour, and finally describes what Schell sees as the many contradictions and conflicts apparent in the PRC by the mid-1990s. Schell's account relies on personal reporting as well as a review of a variety of Chinese, academic, governmental, and human rights sources.

### **Voice of America (VOA)**

Voice of America (VOA) broadcasts news and entertainment features on AM, FM and short-wave radio in English and 46 other languages to 118 countries worldwide. VOA is the Broadcasting Service of the United States Information Agency, and has been operating since World War II. Under its charter, drafted in 1960 and passed into law in 1976, the organization is to "serve as a consistently reliable and authoritative source of news [that is] accurate, objective and comprehensive." The Charter also stipulates that VOA is to "represent America, not any single segment of American society, and will therefore present a balanced and comprehensive projection of significant American thought and institutions." VOA is also to "present the policies of the United States clearly and effectively, and ... present responsible discussions and opinion on these policies." Beginning in 1994, the VOA was ruled by a Board of Governors common to all US government international broadcast services, such as Radio

Free Europe and Radio Liberty. VOA has 1,855 staff members from over 60 countries. VOA news stories are available on the Internet through the VOA gopher within minutes of broadcast. In VOA titles, (L) signifies the long form of an article while (S) signifies the short form (VOA Jan. 1995; *ibid.* n.d.a; *ibid.* n.d.b)

### **Walls, Jan.**

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